

The 17th August, 1970

No 7022-1Lab-70 24116.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workmen and the management of M/s Racmann Auto (P) Ltd., Mathura Road, Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA,
FARIDABAD

REFERENCE No. 8 OF 1970

between

THE WORKMEN AND THE MANAGEMENT OF M/S RACMANN AUTO (P) LTD., MATHURA
ROAD, FARIDABAD.

Present :—

Sh. Darshan Singh, for the workman.

Shri R. S. Sharma, Manager, for the management.

AWARD

Shri Ram Krishan Bansal was working as a turner with M/s. Racmann Auto (P) Ltd., Faridabad. His services were terminated by the management on 22nd May, 1970. This gave rise to an industrial dispute. The Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 has been pleased to refer this dispute to this Court,—*vide* Gazette notification No. 1D, FD 21970, dated 20th July, 1970, the matters for adjudication being as given below :—

“Whether the termination of services of Shri Ram Krishan Bansal was justified and in order. If not, to what relief is he entitled?”

Notice of the reference was given to the parties and they have appeared today through their duly authorised representatives. A settlement has been arrived at between the parties. The management has modified the order of the termination of the services of the workman who has to be treated as a retrenched hand only. The entire amount of compensation due has been paid to him. This has been conceded on behalf of the workman.

In view of the above, it is not necessary to decide the case on merits. Shri Ram Krishan Bansal, workman shall be treated as a retrenched hand in terms of the settlement arrived at between the parties. I give my award accordingly. No order as to cost.

O. P. SHARMA.

Dated 3rd August, 1970.

PRESIDING OFFICER,

Labour Court, Haryana, Faridabad

No. 143 dated Faridabad, the 5th August, 1970

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA.

Dated 3rd August, 1970.

PRESIDING OFFICER,

Labour Court, Haryana, Faridabad.

The 18th/20th August, 1970

No. 7085-1Lab-70/24243.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workman and the management of M/s Qualitex Machinery (P) Ltd., Faridabad.

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No 53 of 1953

between

THE WORKMEN AND THE MANAGEMENT OF M/S QUALITEX MACHINERY (P) LTD.,
FARIDABAD

Present:—

Shri Darshan Singh. for the workmen.

Shri P. D. Mehta, for the management.

AWARD

An industrial dispute arose between the workmen and the management of M/s Qualitex Machinery (P) Ltd., Faridabad and the same was referred to this Tribunal for adjudication. The item of dispute referred for adjudication is as under:—

“Whether grades and Scales of the workers be framed ? If so, with what details and from which date?”

On receipt of the reference usual notices were issued to the parties in response to which a statement of claim was filed on behalf of the workmen and the management filed their written statement. The demand for fixation of grades and scales was mainly opposed on the ground that the respondent concern was still in its infancy and was suffering from losses on account of the recession and competition. This stand was not accepted by the workmen and the pleadings of the parties gave rise to the following issues:—

1. Whether the respondent concern is still in its infancy state and is suffering losses on account or recession and competition ?
2. Whether grades and scales of the workers be framed ? if so, with what details and from which date?

The management have filed their balance sheets and statements of Profit and Loss Account from the year 1964 to 1969. They also filed the sale price of the machinery manufactured by them in the year 1964 and 1970 as also the statement showing sales to the Government Department, out of total sales and the price of iron and steels during the year 1964-65 and the year 1969-70. All these documents have been proved by the evidence of Shri B. N. Kaushik, M. W. 1, Accountant of the respondent concern. Shri Kaushik has also stated that the respondent concern was registered under the Company's Act in the year 1964 and started production at Faridabad in February, 1967. He stated that since the inception of the Company no dividend has been paid to the share-holders.

The workman have led no evidence in rebuttal. Their representative Shri Darshan Singh has stated that the workman have given him no instructions to proceed further in this case. In view of the evidence produced by the management, I am of the opinion that time is not yet ripe for the fixation of grades and scales in the wages of the workmen employed in the respondent concern. I give my award accordingly. No order as to costs.

P. N. THUKRAL.

Presiding Officer,

Industrial Tribunal, Haryana,
Faridabad.

Dated 3rd August, 1970.

No. 1182, dated the 6th August, 1970.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Dated the 3rd August, 1970.